

Christine C. Capuyan (SBN 281036)
 christine.capuyan@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 950 Page Mill Road
 Palo Alto, CA 94304
 Telephone: (650) 858-6000
 Facsimile: (650) 858-6100

Joseph J. Mueller (*pro hac vice*)
 joseph.mueller@wilmerhale.com
 Sarah B. Petty (*pro hac vice*)
 sarah.petty@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 60 State Street
 Boston, MA 02109
 Telephone: (617) 526-6000
 Facsimile: (617) 526-5000

Nina S. Tallon (*pro hac vice*)
 nina.tallon@wilmerhale.com
 WILMER CUTLER PICKERING HALE
 AND DORR LLP
 1875 Pennsylvania Avenue NW
 Washington, DC 20006
 Telephone: (202) 663-6000
 Facsimile: (202) 663-6363

*Attorneys for Defendant and
 Counterclaim-Plaintiff McAfee, Inc.*

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

TVIIM, LLC,

Plaintiff,

v.

MCAFEE, INC.,

Defendant.

Civil Action No. 3:13-CV-04545-HSG

**SUPPLEMENTAL DECLARATION
 OF JOSEPH J. MUELLER IN
 SUPPORT OF MCAFEE'S
 OPPOSITION TO TVIIM'S MOTION
 TO EXCLUDE CERTAIN EXPERT
 TESTIMONY OF LANCE
 GUNDERSON**

1 I, Joseph J. Mueller, declare as follows based on my personal knowledge:

2 1. I am a partner at the law firm Wilmer Cutler Pickering Hale and Dorr LLP and
3 lead counsel for Defendant McAfee, Inc. ("McAfee") in this action. I am licensed to practice
4 law in the Commonwealth of Massachusetts and have been admitted to practice *pro hac vice*
5 before the U.S. District Court for the Northern District of California in this action. I am familiar
6 with the facts set forth herein and, if called as a witness, I could and would testify competently to
7 those facts under oath.

8 2. I make this declaration in support of McAfee's Opposition to TVIIM's Motion to
9 Exclude Certain Expert Testimony of Lance Gunderson (Dkt. 131) and in response to the Court's
10 June 10, 2015 Order (Dkt. 171), which denied McAfee's Administrative Motion to File Under
11 Seal (Dkt. 130). Accordingly, and in accordance with the Court's Order, I am attaching the
12 following documents to be publicly filed.

13 3. Attached to this Declaration as **Exhibit 1** is a true and correct copy of excerpts
14 from transcript of the February 24, 2015 deposition of Lance E. Gunderson.

15 4. Attached to this Declaration as **Exhibit 10** is a true and correct copy of excerpts
16 from the Expert Report of Lance E. Gunderson, dated January 16, 2015.

17 5. Attached to this Declaration as **Exhibit 12** is a true and correct copy of excerpts
18 from the transcript of the December 11, 2014 deposition of Frank Hammond.

19 6. Attached to this Declaration as **Exhibit 14** is a true and correct copy of a
20 document produced in discovery bearing Bates numbers Bitonti000852 through Bitonti001049
21 with the title "Asset Purchase Agreement" on page Bitonti000855.

22 7. Attached to this Declaration as **Exhibit 27** is a true and correct copy of McAfee,
23 Inc. First Supplemental Responses and Objections to Plaintiff TVIIM, LLC's First Set of
24 Interrogatories (Nos. 1-6), dated November 21, 2014.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct to the best of my knowledge.

3
4
5 Dated: June 17, 2015

WILMER CUTLER PICKERING HALE
AND DORR LLP

6 /s/ Joseph J. Mueller

7 Joseph J. Mueller (*pro hac vice*)

8
9 *Attorney for Defendant and*
10 *Counterclaim-Plaintiff McAfee, Inc.*

CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION

I hereby attest that concurrence in this filing had been obtained from Joseph J. Mueller and that a copy of his original signature is on file.

Dated: June 17, 2015

/s/ Christine Capuyan

Christine Capuyan

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the United States that a true and correct copy of the above and foregoing document has been served on June 17, 2015 to all counsel of record who are deemed to have consented to electronic service via the Court's ECF system per Civil Local Rule 5-1.

Dated: June 17, 2015

/s/ Christine Capuyan

Christine Capuyan